



Order Filed on March 6, 2019  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LBR 9004-1 DENISE CARLON, ESQUIRE KML LAW GROUP, P.C. Sentry Office Plz 216 Haddon Ave. Suite 406 Westmont, NJ 08018 (215)627-1322 <a href="mailto:dcarlton@kmlawgroup.com">dcarlton@kmlawgroup.com</a> Attorneys for Ditech Financial LLC	
In Re:	
Francisco Baluarte,	
Debtor.	

Case No.: 19-10374 VFP  
Adv. No.:  
Hearing Date: 3/7/19 @ 8:30 a.m.  
Judge: Vincent F. Papalia

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S  
CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED**

**DATED: March 6, 2019**

  
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**Honorable Vincent F. Papalia**  
**United States Bankruptcy Judge**

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Debtor: Francisco Baluarte

Case No.: 19-10374 VFP

Caption: **ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Attorneys for Ditech Financial LLC, holder of a mortgage on real property located at 230 North 12th Street, Kenilworth, NJ, 07033, Denise Carlon appearing, by way of objection to the confirmation of Debtor's Chapter 13 Plan, and this Court having considered the representations of attorneys for Secured Creditor and Antonio R. Espinosa, Esquire, attorney for Debtor, Francisco Baluarte, and for good cause having been shown;

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Debtor is to obtain a loan modification by the 4/19/19, or as may be extended by an application to extend the loss mitigation period; and

It **ORDERED, ADJUDGED and DECREED** that Debtor shall make post-petition payments in accordance with the terms of the loss mitigation order while the loss mitigation period is active; and

It **ORDERED, ADJUDGED and DECREED** that the trustee is not to pay the arrears while the loan modification is pending; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Secured Creditor does not waive its rights to the pre-petition arrears or the difference between the regular post-petition payment and the loss mitigation payment, or any other post-petition arrears that may accrue;

It is **FURTHER ORDERED, ADJUDGED and DECREED** that if loan modification is unsuccessful, Debtor shall modify the plan to cure the arrears, surrender the property, or sell or refinance the property within thirty days of the denial; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Secured Creditor's objection to confirmation is hereby resolved.